

14_Planning, Law and Property Rights: in the face of transition

Co-chairs

Rachelle Alterman (Israel Institute of Technology, Israel)

Thomas Hartmann (Wageningen University, Netherlands)

Kim Carlotta von Schönfeld (Wageningen University, Netherlands)

Spatial planning, when grounded in laws and regulations, intervenes in the allocation and distribution of land. It thereby intervenes in private property rights – i.e. granting, changing, or even taking them. This creates issues ranging from procedural matters that affect quality of governance, to substantive policies and instruments that may enable- or deter - sustainable use of land. In recent years planning law faces additional challenges that go beyond the domestic domains into the global arena. Planning and thus also planning law is continuously adapting and changing to socio-economic or environmental challenges. Can the laws and institutions that govern planning meet the challenges posed by climate change, sustainability, demographic changes and increasing economic and political uncertainties?

This track aims to provide a platform for sharing research on any topic that connects planning and law with property rights. Examples of topic areas:

- Statutory (regulatory) planning systems and instruments: How does planning law address challenges or transitions within a given country, or comparatively.
- Governance structures and procedures: How does planning law structure the relationships between central governmental control, local government, markets, and non-governmental organizations?
- Legitimacy and planning interventions: How does the law frame public participation, stakeholder involvement, lobbyism, and dispute resolution;
- Regulatory instruments of spatial planning: how do instruments work, such as local statutory plans, land use plans, building permits, agreements with developers, land-value capture, developer obligations, regulation of agricultural land, open space and natural resources, historic-building regulation, expropriation, compensation, land readjustment, taxation of land values, transfer or development rights and others;
- Property rights: How to deal with tensions between public and private rights and responsibilities (i.e. with land for public services, customary collective or private rights).

Contributions may look at the general theory of planning and law or investigate particular issues, focusing either on a particular country or cross-nationally. Since legal and planning systems vary greatly from country to country, authors should make the terms used, as well as the legal structures and procedures, as transparent as possible.